



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

Mr. Timothy D. McNair
Attorney and Counselor at Law
821 State Street
Erie, Pennsylvania 16501

SEP 29 2006

RE: MUR 5556
Porter for Congress and
Edward G. Plonski, in his official
capacity as treasurer

Dear Mr. McNair:

On March 7, 2006, the Federal Election Commission found reason to believe that your clients, Porter for Congress and Edward G. Plonski, in his official capacity as treasurer, violated 2 U.S.C. § 441d(a)(1) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, on September 12, 2006, the Commission declined to accept the signed conciliation agreement, and decided to take no further action and close the file in this matter. Accordingly, the civil penalty check in the amount of \$1,500 will be refunded to the Democratic State Central Committee shortly. In addition, a Statement of Reasons providing a basis for the Commission's decision will follow.

The Commission reminds your clients that failing to include in a radio advertisement a disclaimer stating who paid for the advertisement is a violation of 2 U.S.C. § 441d(a)(1) of the Act. Your clients should take steps to ensure that this activity does not occur in the future.

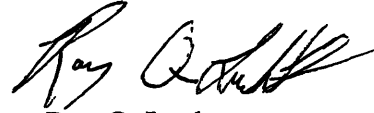
Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

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If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy Q. Lockett", with a stylized flourish at the end.

Roy Q. Lockett
Attorney

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